

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

UNITED STATES OF AMERICA

v.

DAVID PIKE,

Defendant.

**Affirmation in Support of Application
for an Order of Continuance**

19 Mag. 8240

X

State of New York)
County of New York) ss.:
Southern District of New York)

Julieta V. Lozano, pursuant to Title 28, United States Code, Section 1746, hereby
declares under penalty of perjury:

1. I am a Special Assistant United States Attorney in the Office of Geoffrey S. Berman, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A). This is the second order of continuance that has been sought.

The defendant was charged with a violation of Title 18, United States Code, Section 1001, in a Complaint dated August 29, 2019. The defendant was presented before Magistrate Judge James L. Cott on September 12, 2019. At the time of the defendant's presentment, the defendant appeared with his retained counsel Marty Raskin, Esq., and Jane Raskin, Esq. At the time of the defendant's presentment, Magistrate Judge Cott set bail, and the defendant remained at liberty pursuant to a set of bail conditions. Under the Speedy Trial Act,

the Government was initially required to file an indictment or information on or before October 15, 2019.

2. On October 15, 2019, United States Magistrate Judge Ona T. Wang, granted the parties' mutual request for an order of continuance pursuant to 18 U.S.C. § 3161(h)(7)(A) until November 14, 2019.

3. Since the issuance of the initial order of continuance, Mr. Raskin and I have continued to engage in discussions concerning charges that might be brought in this case. Those discussions are ongoing. The parties are therefore in agreement that a continuance in this case is appropriate. The defendant, through counsel, has consented to such a continuance and has specifically waived his right to be charged in an indictment or information for an additional period not to exceed 30 days.

4. Therefore, the Government is requesting a continuance for a period of 30 days, until **December 13, 2019** to continue the aforementioned discussions. I have personally communicated with defense counsel and he consents to this request.

5. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York
November 13, 2019



Julieta V. Lozano
Special Assistant United States Attorney
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